

Honolulu, Hawaii

APR 01 2015

RE: S.C.R. No. 155
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committees on Energy and Environment and Health, to
which was referred S.C.R. No. 155 entitled:

"SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF
HEALTH TO PROMPTLY EXAMINE ALL ALLEGED VIOLATIONS IN THE
SOLID WASTE RECYCLING INDUSTRY AND TO EQUITABLY ENFORCE
PERTINENT LAWS AND RULES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Request the Department of Health to promptly investigate all alleged violations in the solid waste recycling industry and timely issue any appropriate penalty or order and ensure compliance with any necessary corrective action;
- (2) Request the Department of Health to timely provide a complaining or interested party with information regarding the status and results of any such investigation and any resulting penalty or order for corrective action; and
- (3) Request the Department of Health to equitably enforce pertinent laws and rules.

Your Committees received testimony in support of this measure from Schnitzer Steel Hawaii and one individual. Your Committees received testimony in opposition to this measure from Island



Recycling Inc. Your Committees received comments on this measure from the Department of Health.

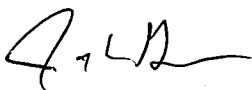
Your Committees find that the Department of Health is authorized to enforce laws and rules regarding the solid waste recycling industry. These laws and rules are necessary to ensure the continued positive impact of the solid waste recycling industry while minimizing any possible negative impacts. Allowing a company to violate these laws and rules without swift action by the Department of Health not only presents risks of harm to Hawaii's citizens and the environment, but tarnishes the reputation of the industry and puts companies that operate within the rules at a disadvantage. An examination of all alleged violations in the solid waste recycling industry and equitable enforcement of pertinent laws and rules will ensure that a company's operations are conducted in a responsible and safe manner and discourage unlawful conduct.

Your Committees have amended this measure by:

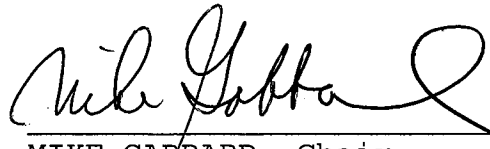
- (1) Eliminating any references to "Island Recycling Incorporated"; and
- (2) Clarifying that some of Hawaii's solid waste recycling companies, rather than only Island Recycling Incorporated, may have and continue to violate applicable laws and rules.

As affirmed by the records of votes of the members of your Committees on Energy and Environment and Health that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 155, as amended herein, and recommend that it be referred to the Committee on Judiciary and Labor, in the form attached hereto as S.C.R. No. 155, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committees on Energy and
Environment and Health,



JOSH GREEN, Chair



MIKE GABBARD, Chair



Record of Votes
Committee on Energy and Environment
ENE

*Only one measure per Record of Votes

The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* <div style="font-size: 1.5em; font-family: cursive;">SCR 155</div>	Committee Referral: <div style="font-size: 1.5em; font-family: cursive;">ENE/HTH, JDL</div>	Date: <div style="font-size: 1.5em; font-family: cursive;">4-1-15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, Josh (C)	✓			
WAKAI, Glenn (VC)	✓			
BAKER, Rosalyn H.				✓
GABBARD, Mike	✓			
RIVIERE, Gil				✓
RUDERMAN, Russell E.				✓
SLOM, Sam	✓			
TOTAL	4	0	0	3
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature:				
<div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> Distribution: Original File with Committee Report </div> <div style="text-align: center;"> Yellow Clerk's Office </div> <div style="text-align: center;"> Pink Drafting Agency </div> <div style="text-align: center;"> Goldenrod Committee File Copy </div> </div>				

*Only one measure per Record of Votes